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CASE 19164D7**CERTIFICATE OF MAILING**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

D L ROYAL

Type or print name

Signature

November 3, 2005

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

Art Unit: 1616

MAIENFISCH ET AL.

Examiner: PRYOR, ALTON

APPLICATION NO: 10/624,390

Conf. No. 6821

FILED: JULY 22, 2003

FOR: OXADIAZINE DERIVATIVES

**ACTION: *RESPONSE TO RESTRICTION REQUIREMENT  
WITHOUT TRAVERSE***

DATE: November 3, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

This election is in response to the Restriction Requirement dated October 3, 2005. The Examiner set a shortened statutory period for reply of one (1) month, making the present response due by November 3, 2005.

Applicants previously elected to proceed with Group I, claims 1-5 and 17-23, and within this group, further elected the species wherein A is a 6-membered nitrogen-containing heterocycle, optionally contain O or S. Pursuant to the Examiner's second

election requirement, Applicants now elect to proceed with the general compound of formula (I) wherein:

A is 2-chloro-pyrid-5-yl;

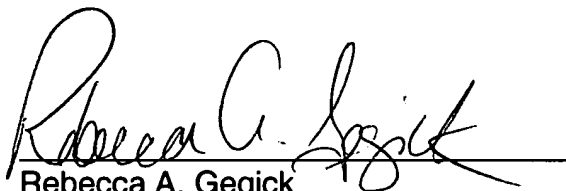
R is CH<sub>3</sub>; and

X is N-NO<sub>2</sub>

Applicants submit that the present response is in compliance with 37 C.F.R. 1.143 and the Examiner is courteously solicited to pass this application on to allowance. No other fees are believed to be payable at this time. However, the Commissioner is authorized to debit any applicable fees from the deposit account of the undersigned, no 50-1676 in the name of Syngenta Crop Protection, Inc.

Syngenta Crop Protection, Inc.  
Patent and Trademark Dept.  
410 Swing Road  
Greensboro, NC 27409  
(336) 632-7895

Respectfully submitted,

  
Rebecca A. Gegick  
Attorney for Applicants  
Reg. No. 51724

Date: November 3, 2005